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In re Application of:

KOHL, Paul, et al.

U.S. Application No.: 10/590,264

PCT No.: PCT/US2005/005088

International Filing Date: 16 February 2005

Priority Date: 19 February 2004

Attorney's Docket No.: 36157/1.9

For: MICROSTRUCTURES AND
METHODS OF FABRICATION
THEREOF

DECISION ON SECOND
RENEWED REQUEST UNDER
37 CFR 1.497(d)

This decision is issued in response to the "Second Renewed Request Under 37 CFR 1.497(d)" filed 11 February 2008. No additional fees are required with respect to this submission.

BACKGROUND

In decisions mailed herein on 06 September 2007 and 24 January 2008, applicants' request to correct inventorship under 37 CFR 1.497(d) was dismissed without prejudice for failure to satisfy all the requirements of a grantable request. Specifically, the most recent decision indicated that applicants had not yet provided the consent of the assignee to the requested change of inventorship in the required form.

On 11 February 2008, applicants filed the "Second Renewed Request Under 37 CFR 1.497(d)" considered herein.

DISCUSSION

The second renewed petition includes a statement of consent to the change of inventorship executed on behalf of the assignee, Georgia Tech Research Corporation, and this consent has been provided in compliance with the requirements of 37 CFR 3.73(b).

Based on the above, applicants have now satisfied the final requirement for a grantable request to correct inventorship under 37 CFR 1.497(d). The deletion of Justin L. TULLIS as an inventor of record pursuant to 37 CFR 1.497(d) is therefore appropriate.

CONCLUSION

Applicants' second renewed request to correct inventorship under 37 CFR 1.497(d) is **GRANTED**.

The inventorship of record herein is corrected to delete inventor Justin L. TULLIS as an inventor of record herein.

Based on the above correction of inventorship, the executed declarations filed 16 January 2008 are now acceptable in compliance with 37 CFR 1.497.

This application is being referred to the National Stage Processing Branch of the Office Of PCT Operations for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 16 January 2008.



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